

**HOUSE BUDGET & RESEARCH OFFICE**

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**HOUSE COMMUNICATIONS**

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**TOMORROW'S FORECAST**

\* The House will reconvene for its 39th Legislative Day on Tuesday, March 26, at 10:00 AM.

\* 11 bills are available to be debated on the floor.



**GEORGIA HOUSE OF REPRESENTATIVES**

***DAILY REPORT***

**Monday, March 25, 2013**

**38th Legislative Day**

**TODAY ON THE FLOOR**

**MOTIONS TO INSIST**

**HB 142 - Georgia Government Transparency and Campaign Finance Commission; change certain provisions**

- BILL SUMMARY: This bill allows the Georgia Government Transparency and Campaign Finance Commission to adopt any rules and regulations necessary and appropriate except they cannot require the reporting or disclosure of more information than required by law.

The bill also prohibits lobbyists from making expenditures for tickets to admission to athletic, sporting, recreational, musical concert, or other entertainment events, unless consideration of equal or greater than face value is received. It also prohibits lobbyists from a reimbursement or payment of expenses for recreational or leisure activities.

A lobbyist can make expenditure for food and beverages to the House or Senate, standing committees and subcommittees, caucuses of members of the majority or minority political parties of the House or Senate and other approved caucuses. Also permissible are monetary fees and honorariums paid to a public officer for speaking engagements or participation in seminars, discussion panels or other activities which directly relate to the official duties of that public officer. It is permissible to reimburse or pay for actual and reasonable expenses for the member or support staff related to transportation except airfare. It is also permissible to reimburse or pay for actual and reasonable expenses for lodging, travel, registration, food, and beverages for attending meetings that directly relate to the office duties of a public officer. It is permissible to pay for admission for members of the General Assembly to a collegiate athletic event if the team is part of the University System of Georgia or a private university or college accredited in Georgia and the event is offered to all members of the General Assembly.

It defines "lobbyist" as someone for compensation or pro bono advocates a position or agenda on behalf of someone else at a state building, for the purpose of influencing the decision maker. The registration fee for a lobbyist is dropped from \$300 to \$25 and now includes an identification card. Someone who has to register as a lobbyist can file an affidavit stating that her or she will not make any expenditures and will not be required to do the reporting.

An individual does not have to register as a lobbyist if he or she communicates personal views, interests or personal opinions to any public officer. An individual does not have to register if they are not paid to lobby and do it no more than 5 days in a year. If an individual is invited to appear before a committee and clearly identifies the interested party on whose behalf her or she is testifying. If someone is required to register they cannot meet at a state building unless they are wearing their lobbyist badge.

- **Authored By:** Rep. David Ralston of the 7th

- **House Committee:** Rules

- **A motion to insist sends this bill to a Conference Committee.**

## **SB 101 - Firearms; regulate the sale, use and possession in this state**

- BILL SUMMARY: The committee substitute replaces SB 101 with the language from HB 512 with changes including allowing places of worship to opt in to allowing congregation members to carry guns in church, restoring bar carry to current law, striking 'courthouses' from inclusion in government buildings, and clarification of private universities and their rights to decide on campus carry themselves. Additionally, the legislation included a prohibition of persons or entities to create or maintain a multijurisdictional data base of information regarding persons issued carry licenses. The judge of the probate court or his or her designee is authorized to verify the legitimacy and validity of a weapons carry license to a license holder, pursuant to a subpoena or court order, or for public safety purposes, but said judge or designee is not authorized to provide any further information regarding license holders.

- **Authored By:** Sen. Frank Ginn of the 47th

- **House Committee:** Public Safety & Homeland Security

- *A motion to insist sends this bill to a Conference Committee.*

## **MOTIONS TO AGREE**

### **HB 142 - Georgia Government Transparency and Campaign Finance Commission; change certain provisions**

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- **Authored By:** Rep. David Ralston of the 7th

- **House Committee:** Rules

- *A Motion to Agree as Amended by the House sends this bill back to the Senate for consideration.*

### **HB 141 - Kidnapping; certain businesses and establishments post a model notice to enable persons who are the subject of human trafficking to obtain help and services; require**

- BILL SUMMARY: HB 141 requires certain businesses (bars, primary airports, bus stations, truck stops, etc) to post a national human trafficking hotline number. If an establishment fails to comply, law enforcement may notify them and allow 30 days for compliance, or the establishment is fined.

- **Authored By:** Rep. Edward Lindsey of the 54th

- **House Committee:** Judiciary Non-Civil

- *A Motion to Agree represents final passage of this bill.*

## **HB 146 - Criminal procedure; the issuance of arrest and search warrants by video conference; change provisions**

- BILL SUMMARY: HB 146 removes the existing geographic restriction on the location of a judge signing an electronic warrant.
- **Authored By:** Rep. Tom Weldon of the 3rd
- **House Committee:** Judiciary Non-Civil
- ***A Motion to Agree represents final passage of this bill.***

## **HB 155 - Game and fish; licensing and operation of shooting preserves; revise provisions**

- BILL SUMMARY: HB 155 by Committee Sub (LC 40 0287S)

The term "pen raised game bird" is defined to be any bobwhite quail, chukar or red-legged partridge, coturnix or Japanese quail, ring-necked pheasant, mallard duck, or black duck.

A blanket commercial license is no longer included as permissible for releasing pen raised game birds. Rules surrounding the laws regarding the release of pen raised game birds are as follows:

- The land to compromise the preserve must consist of not more than 1,000 acres and not less than 100 contiguous acres and must be owned or leased by the applicant.
- The boundary lines of the premises must be marked by signs indicating that they are the boundary line signs, and that the premises are posted as against trespassing.
- As a condition of holding a shooting preserve license, the owner or his or her lessee or agent, shall, prior to allowing anyone to hunt on such shooting preserve will confirm that such person has completed a hunter education course.
- If a hunter education course isn't verified, education instruction will be provided that, at a minimum, demonstrates techniques for proper firearm handling, unloading and safety.

If a pen raised game bird is removed from a shooting preserve there must be accompanying contact information of the preserve from which it was taken. The Department of Natural Resources must be allowed to access records of all pen raised game birds propagated, released or taken on the preserve during all regular business hours. The licensee must also notify the department within 24 hours of the diagnosis of any epizootic disease of any pen raised game bird on the preserve. Also, the department must issue written approval for the release of any wildlife or wild animal except pen raised game birds on a shooting preserve.

Lifetime shooting preserve licenses, available to any individual, resident or non-resident, which entitles the holder to hunt pen raised game birds and fish in any private or state waters within the boundaries of a properly licensed shooting reserve is \$75.00.

- **Authored By:** Rep. David Knight of the 130th
- **House Committee:** Game, Fish, & Parks

***- A Motion to Agree as Amended by the House sends this bill back to the Senate for consideration.***

## **HB 209 - Pharmacists and pharmacies; revise definition of "security paper"; revise requirements**

- BILL SUMMARY: House bill 209 changes many provisions relating to the practice of pharmacy within the state. Regarding definitions, the bill adds Medicare and Medicaid approved prescription pads under the definition of "security paper." The bill also expands the definition of a "dispenser" to allow for any pharmacy or facility located in another state or foreign country that delivers a dispensed controlled substance into Georgia. Regarding pharmacists in other jurisdictions, the bill allows the board to require pharmacists licensed in other jurisdictions to pass at least one exam that includes an examination on Georgia pharmacy law to be licensed in Georgia. Regarding pharmacist liability, the bill requires pharmacists to have the same liability for prescriptions that issuing practitioners have under current rules of the Federal Drug Enforcement Administration. Regarding remote order entry, the bill changes the requirements to use remote order entry specifically for small, rural hospitals. Explicitly, the bill authorizes hospital pharmacies to use remote order entry when at least one licensed pharmacist is physically present in a hospital that remotely serves another hospital or hospitals on weekends, provided the other hospital or hospitals are under the same ownership and have an average daily census of less than ten acute patients. Relating to compounding, the bill requires the board to establish rules and regulations governing compounding in compliance with USP-NF standards. Pharmacists who compound sterile drugs for specific practitioners to use in patient care are required to follow federal law and board rule using USP-NF standards. Also, practitioners who compound drugs for administering or dispensing to their own patients are required to do so using USP-NF standards. Regarding pharmacists in charge, the bill requires a pharmacy that has had a change in the pharmacist in charge must name a replacement pharmacist in charge or else become suspended. Regarding nonresident pharmacy, the bill allows a person, pharmacy, or facility located outside of Georgia to apply to the board for a nonresident pharmacy permit. This permit would allow them to ship, mail, or deliver dispensed drugs. To obtain this license, the board will establish an application process that must include the following:
  - 1.) Proof of a valid license or permit to operate a pharmacy in each state in which they dispense drugs.
  - 2.) Addresses, names, and titles of all principal corporate officers and the pharmacist in charge in this state.
  - 3.) A statement of whether the applicant is in compliance with all lawful directions and requests for information.

The board must include the following in the rules and regulations for nonresident pharmacy permit holders.

- 1.) A permit holder's pharmacist in charge of dispensing drugs to patients in Georgia must be licensed in his or her state of location.
- 2.) A permit holder must provide written notification to the board within ten days of any change in principal corporate officers or pharmacist in charge.
- 3.) A permit holder must file a change of location application upon any change to the state of registration.
- 4.) A permit holder must respond within ten days to all communications from the board concerning emergency circumstances arising from errors in dispensing.
- 5.) A permit holder must provide written notification to the board of each location where records are maintained.
- 6.) A permit holder must maintain a toll-free telephone number operational during the permit holder's regular hours of operation, but not less than six days per week for a minimum of 60 hours per week to facilitate patient counseling.

- **Authored By:** Rep. Ben Watson of the 166th

- **House Committee:** Health & Human Services

- ***A Motion to Agree represents final passage of this bill.***

### **HB 235 - Optometrists; revise definition of optometry; remove certain exemption**

- BILL SUMMARY: HB 235 allows optometrists to continue to prescribe schedule III-IV drugs. It specifically allows hydrocodone to continue to be prescribed regardless of federal classification; prohibits optometrists from administering pharmaceutical agents via injection; certifies that optometrists may use oral steroids for treatment where appropriate; requires that optometrists 65 years of age and older adhere to continuing education requirements.

- **Authored By:** Rep. Earl Ehrhart of the 36th

- **House Committee:** Insurance

- ***A Motion to Agree represents final passage of this bill.***

### **HR 205 - Property; conveyance of certain state owned real property; authorize**

- BILL SUMMARY: HR 205 is a conveyance resolution for property located in sixteen counties, conveying property owned by the State of Georgia or amending those conveyances, as follows:

Article I conveys property in Baldwin County, a portion of the Georgia Veterans Cemetery in Milledgeville and under the custody of the Department of Veterans Services, to the Georgia Department of Transportation to be used for the Fall Line Freeway Stage 2 project.

Article II conveys property in Ben Hill County, the former site of the Bainbridge Armory and currently under the custody of the Georgia Department of Defense, to the City of Fitzgerald to be used by the Ben Hill County Board of Education, for the amount of the remaining general obligation bonds.

Article III conveys property in Bibb County, the former site of the Army National Guard Macon Field Mechanics Service and currently under the custody of the Georgia Department of Defense, to Bibb County, on behalf of the Bibb County Board of Education.

Article IV conveys property in Bibb County, the former site of the Macon Regional Youth Detention Center and currently under the custody of the Georgia Department of Juvenile Justice, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article V conveys property in Butts County, a portion of the Georgia Diagnostic and Classification Prison currently under the custody of the Department of Corrections, to the Georgia Department of Transportation to be used for the State Route 26 road widening project, for \$10.00.

Article VI conveys, by quitclaim deed, an 861 acre portion of the Tronox property, located in Chatham County. The property, which is listed on the Georgia hazardous site inventory as a Superfund site, is being conveyed for environmental cleanup.

Article VII conveys property in Chattooga County, the site of the former Northwest Regional Crime Lab and currently under the custody of the Georgia Bureau of Investigations, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article VIII conveys property located in Crawford County, currently under the custody of the Department of Natural Resources, to the Department of Transportation to be used for the bridge replacement project on State Route 128 above the Flint River, for fair market value including cost to cure any damages.

Article IX conveys property in Floyd County, the site of the former Talmage Gym located on the Cave Spring Georgia School for the Deaf campus and currently under the custody of the Georgia Department of Education, to the State Properties Commission

to offer for competitive bid or to a local government or state entity.

Article X conveys property in McDuffie County, formerly the site of the Georgia State Patrol Hangar in Thomson and currently under the custody of the Department of Public Safety, jointly to the City of Thomson and McDuffie County.

Article XI conveys property in Mitchell County, formerly used as the Pelham Probation and Detention Center and under the custody of the Department of Corrections, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XII places restrictive covenants on property in Paulding County. The United States Department of Army Corps of Engineers provided funding for stream mitigation for a 110 acre portion of the 1,051 acre tract purchased from the Howell family in June, 2012. To meet requirements for the in-lieu funding a Declaration of Conservation Covenants and Restrictions must be placed on the 110 acres. The property remains in custody of the Department of Natural Resources.

Article XIII conveys land in Putnam County that was formerly the Putnam State Prison and currently under the custody of the Department of Corrections to the State Properties Commission to the City of Eatonton for \$10.00 or to offer for competitive bid or to a local government or state entity.

Article XIV conveys property in Richmond County that is currently a portion of the East Central Regional Hospital and under the custody of the Georgia Department of Behavioral Health and Developmental Disabilities to the Georgia Department of Transportation to be used for making traffic operation improvements for \$10.00.

Article XV conveys property in Richmond County, formerly used as the Augusta Alcohol and Drug Rehabilitation Center and under the custody of the Department of Juvenile Justice, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XVI conveys property in Spalding County, formerly used as the Griffin Regional Youth Development Center and under the custody of the Department of Juvenile Justice, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XVII conveys property in Tattnal County. The Georgia Department of Corrections and Stanley Farms, LLC have reached an agreement for an exchange of properties located on Harley Road and adjoining the Georgia State Prison in Reidsville. The state will convey two properties, 10.62 acres and 210 acres, to Stanley Farms, LLC in exchange for a 19.063 acre property and \$257,000.

Article XVIII conveys property in Wilkes County, formerly known as the Wilkes County Unit and under the custody of the State Forestry Commission to Wilkes County for \$10.00 or to offer for competitive bid or to a local government or state entity.

- **Authored By:** Rep. Jay Neal of the 2nd

- **House Committee:** State Properties

- ***A Motion to Agree represents final passage of this bill.***

### **HB 241 - Atlanta, City of; Board of Education; change description of districts**

- **BILL SUMMARY:** A Bill to reapportion the Atlanta Board of Education.

- **Authored By:** Rep. Pat Gardner of the 57th

- **House Committee:** Intragovernmental Coordination - Local

- ***A Motion to Agree represents final passage of this bill.***

### **HB 242 - Juvenile proceedings; substantially revise, supersede, and modernize provisions**

- **BILL SUMMARY:** Overview

In 2012, Governor Nathan Deal reappointed the Special Council on Criminal Justice Reform ("Council"). He tasked them with studying the state's juvenile justice system and coming up with ways to improve public safety and decrease costs. HB 242, the Juvenile Justice Reform bill, substantially, revises, supersedes and modernizes provisions relating to juvenile proceedings and enacts comprehensive juvenile justice reforms recommended by the Council.

\*For a more detailed summary, please contact the House Judiciary committee office.

- **Authored By:** Rep. Wendell Willard of the 51st

- **House Committee:** Judiciary

- ***A Motion to Agree represents final passage of this bill.***

## **HB 268 - Agricultural products dealers; cotton and eggs from definition of "agricultural products"; remove**

- BILL SUMMARY: Section 1

The substitute bill, (LC 40 0336S) amends several code sections in Title 2 and one in Title 43. Code Section 2-9-1 is amended by revising definitions of agricultural products to include eggs. The definition of dealer in agricultural products is modernized to include the words 'or her' in the definition.

### **Section 2**

The bill revises Code Section 2-9-4 relating to licenses for dealers in agricultural products to provide that an annual fee not to exceed \$400.00 shall be required before a license is issued, and such license shall be valid until revoked or suspended as provided in this article or until the annual license renewal fee is unpaid.

### **Section 3**

The bill further amends Code Section 2-9-5 to provide that the bond shall be equal to the maximum amount of products purchased from or sold for Georgia producers or estimated to be purchased or sold in any month by the applicant; provided however, that the minimum amount of such bond shall be \$10,000.00 and the maximum amount of such bond shall be \$230,000.00; provided that in the case of pecans, such bond shall not exceed \$500,000.00.

Also adds new language to provide that if a bond of a dealer is canceled, the license of such person shall be immediately revoked by operation of law and without notice or hearing and such person shall be ineligible to reapply for such license for a period of four years after such revocation.

### **Section 4**

The substitute provides for new language in Section 4 which provides for exclusions: 1.) Farmers or groups of farmers in the sale of agricultural products grown by themselves; 2.) Persons who buy for cash, paying at the time of purchase in U.S. currency, certified check, cashier's check, or the equivalent; or 3.) Holders of food sales establishment licenses issued pursuant to Article 2 of Chapter 2 of Title 26, the 'Georgia Food Act,' who conduct no business at the wholesale level and who have fewer than ten employees.

(b) No warehouse that is in full compliance with the provisions of Article 1 of Chapter 4 of title 10 shall be required to obtain a license or maintain a surety bond under this article.

### **Section 5**

The bill revises the definition of grain to include but not limited to wheat, corn, oats, barley, rye field peas, soybeans, clover and grain sorghum. The term does not include grain which has been produced or packaged for purchase or distribution as seed. The definition of grain dealer has been modernized to include the words 'or her'.

### **Section 6**

The legislation amends the surety bond maximum amount from \$150,000.00 to \$300,000.00.

### **Section 7**

Repeals chapter 31 of Title 43 relating to pecan dealers and processors and designates said chapter as reserved.

### **Section 8**

All laws and parts of laws in conflict with this Act are repealed.

- **Authored By:** Rep. Buddy Harden of the 148th

- **House Committee:** Agriculture & Consumer Affairs

- ***A Motion to Agree represents final passage of this bill.***

## **HB 318 - Georgia Tourism Development Act; revise certain definitions; provisions**

- BILL SUMMARY: House bill 318 makes changes to the Georgia Tourism Development Act.

- The term "agreement" means an agreement for a tourism attraction project between the Department of Community Affairs and an approved company.
- "Annual sales and use tax" means state sales and use taxes remitted to the state that were generated by sales to the general public at the approved tourism attraction during the calendar year immediately preceding the date of the tax refund claim.
- An "approved company" must be an entity that has submitted an approved application to undertake a tourism attraction project. Only one company may be approved per project.
- "Incremental sales and use tax" is defined as taxes remitted to the state that were generated by sales to the general public at the approved tourism attraction from the date on which construction of the expansion project is completed through the end of the calendar year immediately preceding the date of filing the refund claim, less the state sales and use taxes remitted to the state that were generated by the general public during the 12 month period immediately preceding the

commencement of the construction.

- "Local sales and use tax" is defined as any sales and use tax levied and imposed in an area consisting of less than the entire state.
- A "sales and use tax refund" is the amount equal to the lesser of the annual sales and use tax or 2.5% of the total of all approved costs incurred at any time prior to January 1st of the year the claim is filed.
- "Tourism attraction" is defined as a cultural or historical site; a recreation or entertainment facility; a convention hotel and conference center; an automobile race track, including, but not limited to, the Atlanta Motor Speedway, with other tourism amenities; a golf course facility with other tourism amenities; marinas and water parks with lodging and restaurant facilities designed to attract tourists; or a Georgia crafts and products center.
- Tourism attractions will not be primarily devoted to the retail sale of goods, shopping centers, restaurants, or movie theaters.
- The Commissioner of Economic Development and the Commissioner of Community Affairs will have the discretion to grant an approved company a sales and use tax refund for new projects or an incremental sales and use tax refund for expansions of existing tourism attractions.
- The term of the agreement granting a refund will be ten years, commencing on the date the attraction opens and begins to collect taxes or, for an expansion, the date construction is complete.
- For each calendar year or partial calendar year occurring during the term of the agreement, the company will file a claim with the Department of Revenue for a refund by March 31st of the following year.
- No sales and use tax refund will be granted to a company that is simultaneously receiving any other state tax incentive associated with any one tourism attraction project.
- Refunds will be made without interest.
- Applications must be filed with the Department of Community Affairs, which will also be responsible for reviewing the compliance of an agreement.

- **Authored By:** Rep. Ron Stephens of the 164th

- **House Committee:** Economic Development & Tourism

- ***A Motion to Agree represents final passage of this bill.***

### **HB 345 - Teachers Retirement System of Georgia; clarify and consolidate the definitions of the term "teacher"**

- **BILL SUMMARY:** This bill consolidates and clarifies the definition of a "teacher" under Chapter 3 of Title 47 of the Official Code of Georgia, relating to the Teachers' Retirement System of Georgia. This is a nonfiscal retirement bill.

- **Authored By:** Rep. Tommy Benton of the 31st

- **House Committee:** Retirement

- ***A Motion to Agree represents final passage of this bill.***

### **HB 349 - Criminal cases; provide state with more direct appeal rights**

- **BILL SUMMARY:** HB 349 is based on recommendations of the Governor's Criminal Justice Reform Council ("Council") Recommendations.

- Sections 1-3 grant the state the right to appeal a pre-trial ruling excluding evidence. These sections were not part of the Council's recommendations.
- Sections 4 and 5 allow a judge to use his discretion to depart from mandatory minimums for drug trafficking up to 50% in certain enumerated circumstances.
- In addition, Section 4 addresses a recent Georgia Supreme Court case, *Wilson v. State*, by removing the word 'knowingly' in regards to the weight of the drugs. This amendment clarifies that the person does not have to have subjective knowledge of the actual weight of the drug in order to be found guilty under the statute.
- Section 6 revises the definition of administrative probation to allow the Board of Pardons and Paroles to utilize resources elsewhere while remaining in compliance with the Interstate Compact.
- Sections 7-9 grant discretion to the court for departure from a mandatory minimum sentence for a serious violent felony when the prosecuting attorney and defendant agree.
- Section 10 creates a Council on Criminal Justice Reform of for periodic review of criminal and correctional laws.
- Section 11 codifies current law regarding child hearsay of a child witness to sexual or physical abuse of another child. This section was also not a recommendation of the Council.
- Sections 12 and 13 allow for court discretion to grant a limited driving permit to a participant of drug court.
- Section 15 allows the Department of Corrections to collect fees for drug screenings for probationers.

- **Authored By:** Rep. Rich Golick of the 40th

- **House Committee:** Judiciary Non-Civil

- ***A Motion to Agree represents final passage of this bill.***

## **HB 553 - Montgomery County; board of commissioners; provide for appointment of county manager**

- BILL SUMMARY: A Bill to provide for the appointment of a county manager and the powers and duties thereof in Montgomery County.
- **Authored By:** Rep. Greg Morris of the 156th
- **House Committee:** Intragovernmental Coordination - Local
- *A Motion to Agree represents final passage of this bill.*

## **RULES CALENDAR**

### **HR 146 - Congress; enact the FairTax and express the State of Georgia's commitment to ratify the repeal of the 16th Amendment; request**

- BILL SUMMARY: HR 146 is an urging resolution, asking the US Congress to adopt the Fair Tax.
- **Authored By:** Rep. Tom Kirby of the 114th
- **House Committee:** Ways & Means
- **Rule:** Modified-Open
- **Yeas:** 111; **Nays:** 54

### **SB 83 - Counties; support of paupers; provide for cremation as an alternative for deceased indigents**

- BILL SUMMARY: SB 83 allows for cremation as an alternative to burial in the case of a paupers funeral.
- **Authored By:** Sen. Steve Gooch of the 51st
- **House Committee:** Governmental Affairs
- **Rule:** Modified-Structured
- **Yeas:** 153; **Nays:** 14

### **SB 137 - Income Tax; authorize the commissioner of economic development to designate areas as opportunity zones**

- BILL SUMMARY: SB 137 requires that for applications for Opportunity Zone tax credits, beginning July 1, 2013 both the Commissioners of Economic Development and Community Affairs must approve the application.
- **Authored By:** Sen. Rick Jeffares of the 17th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 159; **Nays:** 1

### **SB 155 - Georgia Higher Education Assistance Corporation; change membership to accommodate Fourteenth Congressional District**

- BILL SUMMARY: SB 155 changes the membership of the Georgia Higher Education Assistance Corporation by adding a 14th member to the board of directors to reflect the addition of the 14th Georgia Congressional District.

The bill also allows GSFC to incorporate one or more nonprofit corporations to aid in the authority in carrying out any of its powers, duties, and functions.

- **Authored By:** Sen. Steve Gooch of the 51st
- **House Committee:** Higher Education
- **Rule:** Modified-Open
- **Amendments(s):** AM 39 0043
- **Yeas:** 114; **Nays:** 57

### **SB 156 - Surface Mining; revise a definition**

- BILL SUMMARY: SB 156 relates to definitions relative to surface mining and states that the term "borrow pit" does not include excavated areas of fewer than five acres which are incidental to forestry land management and from which no earthen material is removed for sale.
- **Authored By:** Sen. Ross Tolleson of the 20th
- **House Committee:** Natural Resources & Environment
- **Rule:** Modified-Structured
- **Yeas:** 169; **Nays:** 0



## **SB 160 - Public Employers; provide annual report relative to compliance with certain laws; provide for certain report to Dept. of Audits and Accounts**

- BILL SUMMARY: SB 160 mirrors language in Rep. Dusty Hightower's HB 125.

SB 160 makes some necessary updates to our Code dealing with immigration. First, it redefines the 'physical performance of services' and allows for an exception from e-verify reporting for contracts smaller than \$2,499.99. SB 160 streamlines the business license process for renewals by only requiring the business submit its federal work authorization user number.

It adds to the definition of 'public benefit.' It streamlines the citizenship verification process for government benefits by only requiring that verification be provided upon initial application for a government benefit or service.

Finally, SB 160 creates a new Code section to establish guidelines for the annual immigration compliance report which each agency and political subdivision is required to send to the Department of Audits and Accounts.

- **Authored By:** Sen. Frank Ginn of the 47th

- **House Committee:** Judiciary Non-Civil

- **Rule:** Modified-Structured

- **Yeas:** 111; **Nays:** 58

## **SB 168 - Public Contracts; contracting and bidding requirements**

- BILL SUMMARY: SB 168 prevents bids from being disqualified based upon lack of previous experience with similar size jobs provided that the bid proposal is no greater than 30% in scope or cost from the builder's previous experience in jobs.

- **Authored By:** Sen. Lindsey Tippins of the 37th

- **House Committee:** Judiciary

- **Rule:** Modified-Structured

- **Amendments(s):** AM 29 2174

- **Yeas:** 168; **Nays:** 1

## **SB 216 - Pharmacies; provide that medical director of an emergency service provider may contract with more than one pharmacy**

- BILL SUMMARY: Senate Bill 216 allows the medical director of an emergency service provider to contract with more than one pharmacy as a provider of drugs and consultant services. The bill also changes the code that requires pharmacists to be physically present in a hospital pharmacy for those hospitals within the state that remotely serves only on weekends, do not have more than four other hospitals under the same ownership or management, and have an average daily census of less than 12 acute patients.

- **Authored By:** Sen. Earl "Buddy" Carter of the 1st

- **House Committee:** Health & Human Services

- **Rule:** Modified-Open

- **Yeas:** 168; **Nays:** 0

## **SB 224 - Invest Georgia Fund; create**

- BILL SUMMARY: This legislation establishes the Invest Georgia Fund within Georgia Tech's Advanced Technology Development Center (ATDC) to provide access to seed capital for Georgia-based, high-tech and innovation companies. Invest Georgia will be overseen by a five-member appointed board. Through a competitive bid process the board will select a third-party fund administrator, which will then competitively select venture capital funds to manage investment activities focused on both Georgia early or seed stage and growth stage companies. The venture capital funds must have or establish a physical presence in Georgia in order to ensure that the investments are Georgia-focused.

No direct funding mechanism is established in the legislation.

- **Authored By:** Sen. Tim Golden of the 8th

- **House Committee:** Ways & Means

- **Rule:** Structured

- **This bill was recommitted to the House Rules Committee**

## **SB 225 - Criminal Procedure; relieve a surety from liability under certain circumstances**

- BILL SUMMARY: SB 225 creates an exception for forfeiture of an appearance bond if the principal was receiving involuntary inpatient treatment. In addition, when a defendant fails to appear, it allows a bondsman to prove the location of a defendant to the district attorney, then the DA may decide whether or not to go after the defendant.

- **Authored By:** Sen. Jesse Stone of the 23rd

- **House Committee:** Judiciary Non-Civil

- **Rule:** Modified-Structured

- **Yeas:** 168; **Nays:** 0

**SB 238 - Nelson, City of; powers and duties of mayor; provisions; revise**

- BILL SUMMARY: A Bill to amend the charter of the City of Nelson so as to revise certain provisions relating to the powers and duties of the mayor and to add powers of the city council regarding city employees.
- **Authored By:** Sen. Barry Loudermilk of the 14th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 150; **Nays:** 0

**SB 249 - Holly Springs, City of; election of councilmembers from wards**

- BILL SUMMARY: A Bill to provide for the election of councilmembers from wards and by a plurality vote in the City of Holly Springs.
- **Authored By:** Sen. Brandon Beach of the 21st
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 150; **Nays:** 0

**LOCAL CALENDAR****HB 633 - Powder Springs, City of; change description of wards**

- BILL SUMMARY: A Bill to reapportion the wards of the city council of the City of Powder Springs.
- **Authored By:** Rep. David Wilkerson of the 38th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 150; **Nays:** 0

**HB 640 - Glennville, City of; change description of wards**

- BILL SUMMARY: A Bill to reapportion the wards of the city council of the City of Glennville.
- **Authored By:** Rep. Delvis Dutton of the 157th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 150; **Nays:** 0

**HB 653 - Sumter County State Court; change compensation of judge**

- BILL SUMMARY: A Bill to provide compensation for the judge of the State Court of Sumter County.
- **Authored By:** Rep. Mike Cheokas of the 138th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 150; **Nays:** 0

**POSTPONED LEGISLATION****SB 65 - Mental Health; authorize licensed professional counselor to perform certain acts; secure certification**

- BILL SUMMARY: Senate Bill 65 allows licensed professional counselors to admit a person for involuntary emergency evaluation of mental illness under Code Section 37-3-41. This bill also allows licensed professional counselors to admit a person for involuntary treatment for alcohol or drug abuse under Code Section 37-7-41. This legislation provides for automatic repeal in two years.
- **Authored By:** Sen. Renee S Unterman of the 45th
- **House Committee:** Health & Human Services

**SB 187 - State Government; provide exemption for the board of commissioners of Georgia Student Finance Commission; board of directors**

- BILL SUMMARY: SB 187 adds the board of commissioners of the Georgia Student Finance Commission and the board of directors of the Georgia Student Finance Authority to the list of postsecondary education groups that must develop policies or regulations regarding postsecondary benefits that comply with federal law.
- **Authored By:** Sen. Judson Hill of the 32nd
- **House Committee:** Judiciary Non-Civil

## **COMMITTEE ON RULES**

**The Committee on Rules has fixed the calendar for the 39th Legislative Day, Tuesday, March 26, and bills may be called at the pleasure of the Speaker.**

### **NEXT ON THE FLOOR**

#### **SB 62 - Federal and State Funded Health Care Financing Program Overview Committee; establish**

- BILL SUMMARY: SB 62 creates a joint committee of the General Assembly, the Federal and State Funded Health Care Financing Programs Overview Committee. The Committee will consist of one member of the House and Senate appointed by the Governor; the Chairpersons from the following House Committees: Appropriations, Health and Human Services, and Ways and Means; the Chairpersons from the following Senate Committees: Appropriations, Health and Human Services, and Finance; and finally minority leaders from the House and Senate. Members will serve a two-year term which will run concurrent with their Legislative term. The chairperson is to be appointed by the Speaker and the vice chairperson is to be appointed by the President of the Senate. The Committee will review actions and statutory duties, analyze reports, and make recommendations of the board and the department under this article, Chapter 8 of Title 31, Article 9. On or before January first of each year, the Committee will report findings and recommendations to the General Assembly.

The Committee members will be allowed to use state funds available to the legislative branch for purposes of this Committee.

- **Authored By:** Sen. Judson Hill of the 32nd
- **House Committee:** Human Relations & Aging
- **House Committee Passed:** 3/25/2013
- **Rule:** Modified-Open

#### **SB 91 - "Emerging Crops Fund Act"; repeal**

- BILL SUMMARY: The substitute bill amends Title 2 of the OCGA Annotated relating to agriculture, and is revising Chapter 8A, relating to the "Emerging Crops Fund Act."
- **Authored By:** Sen. Tyler Harper of the 7th
- **House Committee:** Agriculture & Consumer Affairs
- **House Committee Passed:** 3/22/2013
- **Rule:** Modified-Structured

#### **SB 104 - Community Affairs, Dept of; comprehensive plans of local government; revise the minimum elements**

- BILL SUMMARY: SB 104 codifies rules and regulations promulgated by the Department of Community Affairs resulting from the recommendations of a task force created by SB 86 from 2010. These rules relate to the comprehensive planning of local governments.
- **Authored By:** Sen. Frank Ginn of the 47th
- **House Committee:** Governmental Affairs
- **House Committee Passed:** 3/12/2013
- **Rule:** Modified-Open

#### **SB 145 - Agritourism; add farm weddings to the definition**

- BILL SUMMARY: SB 145 allows for property owners who have placed their property into a conservation use covenant to use their property out for "farm weddings" and to host for not for profit equestrian performance events.
- **Authored By:** Sen. Bill Heath of the 31st
- **House Committee:** Ways & Means
- **House Committee Passed:** 3/21/2013
- **Rule:** Structured

#### **SB 177 - Georgia Tourism Foundation; change the membership**

- BILL SUMMARY: Senate bill 177 establishes the Georgia Tourism Foundation within the Department of Economic Development. The foundation will be comprised of no less than 9, but no more than 18 members appointed by the Governor, for a total membership of no more than 20. Membership will always include at least 3 members of the Board of Economic Development, but at no time will the Board members comprise more than one-third of the Foundation's membership. The Georgia Tourism Foundation will be authorized to fix a precise number of members, within these parameters, by resolution adopted from time to time at a meeting attended by a majority of its members.

The foundation will be granted the following charitable public purposes and powers:

- Soliciting and accepting contributions of money and in-kind contributions of services and property for the State-wide Tourism Marketing Program;
- Making and disbursing contributions to the department for such purposes;
- Seeking recognition of tax exempt status by the U.S. Internal Revenue Service and seeking confirmation concerning the deductibility of contributions;
- Formulating recommendations for the State-wide Tourism Marketing Program;
- Creating subsidiaries with like character and powers but with limited missions keyed to particular component programs and activities, per the Governor's approval;
- Providing additional officers and governance through bylaws which are consistent with the goals of lessening the government burden in promoting tourism, establishing and maintaining tax exempt status, and soliciting deductible contributions; and the
- Authority to administer and disperse grants and gifts awarded by the federal government in accordance with the terms of said grants and gifts.

- **Authored By:** Sen. Frank Ginn of the 47th

- **House Committee:** Economic Development & Tourism

- **House Committee Passed:** 3/20/2013

- **Rule:** Modified-Open

### **SB 181 - Georgia History Month; declare September of each year**

- **BILL SUMMARY:** The Georgia Code is amended by solely designating September as Georgia History Month.

- **Authored By:** Sen. Charlie Bethel of the 54th

- **House Committee:** State Planning & Community Affairs

- **House Committee Passed:** 3/21/2013

- **Rule:** Modified-Open

### **SB 218 - Highways, Bridges and Ferries; annual commercial wrecker emergency tow permits; qualifications for issuance**

- **BILL SUMMARY:** SB 218 amends Code relating to emergency tow permits which were created in HB 835 during the 2012 legislative session. The bill cleans up language on weights on single and tandem axles.

- **Authored By:** Sen. Steve Gooch of the 51st

- **House Committee:** Transportation

- **House Committee Passed:** 3/12/2013

- **Rule:** Modified-Open

### **SB 242 - Downtown Development Authorities; undertake projects; reducing energy or water consumption; renewable resources**

- **BILL SUMMARY:** Senate bill 242 allows downtown development authorities to undertake projects reducing energy or water consumption, or make an improvement to property that produces energy from renewable resources within the territorial boundaries of a municipal corporation.

- **Authored By:** Sen. Hunter Hill of the 6th

- **House Committee:** Energy, Utilities & Telecommunications

- **House Committee Passed:** 3/22/2013

- **Rule:** Modified-Open

### **SR 293 - Ralph A. Pierce Memorial Highway; Lumpkin County; dedicate**

- **BILL SUMMARY:** This is the Senate road and bridge dedication package. This includes the following resolutions:

SR 293-Sen. Steve Gooch

SR 293 dedicates the portion of Ga. 52 in Lumpkin County from Ga. 115 to the Hall County line as the Ralph A. Pierce Memorial Highway.

SR 379-Sen. Steve Gooch

SR 379 dedicates the intersection of U.S. Highway 19 and Cavender Creek Road in Lumpkin County as the Judge William Jeffrey Lowe Memorial Intersection.

SR 73-Sen. Donzella James

SR 73 dedicates the bridge on State Route 29 over the train tracks near Roosevelt Highway and Welcome All Road in Fulton County as the Dekai Amonrasi Memorial Bridge.

SR 96-Sen. Tim Golden

SR 96 dedicates the portion of Interstate 75 in Lowndes County from the West Hill Avenue exit to the North Valdosta Road exit

as the Governor Melvin Ernest Thompson Memorial Highway.

SR 383-Sen. Jeff Mullis

SR 383 dedicates the intersection of Battlefield Parkway and Dietz Road in Catoosa County as the Sergeant John A. Franklin Memorial Intersection.

SR 418-Sen. William Ligon

SR 418 dedicates GA25-Spur E. from Brunswick to St. Simons Island in Glynn County as the F.J. Torras Causeway.

Sen. Butch Miller

Additional language to the substitute passed by the Senate dedicates the intersection of Highway 129 and Athens Street in Hall County as the Beulah Rucker Oliver Memorial Intersection.

HR 512-Rep. Mickey Channell

HR 512 dedicates the bridge on Veazey Road over Interstate 20 in Greene County as the Felton L. Hudson Memorial Bridge.

HR 513-Rep. Carl Rogers

HR 513 dedicates the portion of State Route 347 from Interstate 985 East to the Old Winder Highway as the Lanier Islands Parkway.

HR 530-Rep. Nikki Randall

HR 530 dedicates the interchange of I-475 and Thomaston Road in Macon-Bibb County as Veterans of All Wars Interchange.

HR 570-Rep. Al Williams

HR 570 dedicates the interchange and bridge at Interstate 95 over U.S. Highway 17 at South New Port Road in Liberty County as the Reverend Willie Anderson, Sr., Memorial Interchange.

HR 604-Rep. Pat Gardner

HR 604 dedicates the interchange at Interstate 75 and Exit 251 in Fulton County as the Senior Patrol Officer Gail Denise Thomas Memorial Interchange.

HR 702-Rep. Ellis Black

HR 702 dedicates the bridge on Ga. 177 over Sweetwater Creek between Fargo and Stephen Foster State Park in Clinch County as the Ray Daugharty Memorial Bridge.

HR 719-Rep. Keisha Waites

HR 719 dedicates the bridge on Cleveland Avenue over Interstate 75 in Fulton County as the John Charles Birdine, Jr., Memorial Bridge.

HR 759-Rep. Jason Shaw

This resolution dedicates the portion of Ga. 122 in Lanier County that runs beside Banks Lake from the City of Lakeland to the Lowndes County line as the Governor Eurith Dickson "Ed" Rivers Memorial Highway.

HR 761-Rep. Penny Houston

This resolution dedicates the bridge on County Road 246 Kinard Bridge Road over Interstate 75 in Cook County as the Jim McClelland, Sr., POW Memorial Bridge.

- **Authored By:** Sen. Steve Gooch of the 51st

- **House Committee:** Transportation

- **House Committee Passed:** 3/21/2013

- **Rule:** Modified-Structured

# **COMMITTEE ACTION REPORT**

## **Appropriations**

### **SR 378 - General Assembly; provide by law; dedication of revenues collected; sale of fireworks; funding of trauma care/firefighter services in state of Georgia-CA**

- BILL SUMMARY: SR 378 provides for a Constitutional Amendment ballot question to dedicate funds from the sale of fireworks for trauma care and firefighter services. The dedicated funds will not lapse at the end of a fiscal year.

- **Authored By:** Sen. Jeff Mullis of the 53rd

- **Committee Action:** Do Pass by Committee Substitute

## **Health & Human Services**

### **SB 163 - Community Health, Dept. of; required to study and identify options for Medicaid reform**

- BILL SUMMARY: The House Health and Human Services Committee Substitute for Senate Bill 163 prevents the use of electronic benefit transfer cards, issued as part of the Temporary Assistance for Needy Family (TANF) program, in "liquor stores" and adult bookstores, or in ATM machines located within these establishments. Further, the bill prevents these cards to be used for the purchase of lottery tickets, alcoholic beverages, tobacco products, pornographic material, firearms, ammunition, vacation services, tattoos, body piercings, gambling, gift cards, or payment to any government entity for fines or fees.

- **Authored By:** Sen. William Ligon, Jr. of the 3rd

- **Committee Action:** Do Pass by Committee Substitute

## **Higher Education**

### **SB 241 - "Georgia Leadership and Service Admissions Act"; provide for leadership/service recognition of students**

- BILL SUMMARY: SB 241 establishes the 'Georgia Leadership and Service Admissions Act.' The bill defines an 'eligible student' as a person who:

1. Meets the median GPA and entrance exam scores for the class admitted for the preceding fall semester at the institution that the student seeks recommendation for;
2. Meets the requirements for a HOPE scholarship;
3. Is a citizen and legal resident of Georgia;
4. Has applied or intends to apply for admission into an institution of the university system that offers an ROTC program; and
5. Commits to serve in the ROTC program for the entirety of his or her enrollment if he or she attends the institution for which recommendation is sought.

The bill states that each member of the General Assembly, the Governor, and the Lt. Governor may select an eligible student annually to be a Georgia Leadership and Service Scholar and offer a written recommendation for the eligible student for use in the admissions process at a university system institution selected by the eligible student. The bill also allows the General Assembly members, the Governor, and the Lt. Governor to establish a process for receiving and evaluating eligible students for selection.

- **Authored By:** Sen. Hunter Hill of the 6th

- **Committee Action:** Do Pass

## **Human Relations & Aging**

### **SB 62 - Federal and State Funded Health Care Financing Program Overview Committee; establish**

- BILL SUMMARY: SB 62 creates a joint committee of the General Assembly, the Federal and State Funded Health Care Financing Programs Overview Committee. The Committee will consist of one member of the House and Senate appointed by the Governor; the Chairpersons from the following House Committees: Appropriations, Health and Human Services, and Ways and Means; the Chairpersons from the following Senate Committees: Appropriations, Health and Human Services, and Finance; and finally minority leaders from the House and Senate. Members will serve a two-year term which will run concurrent with their Legislative term. The chairperson is to be appointed by the Speaker and the vice chairperson is to be appointed by the President of the Senate. The Committee will review actions and statutory duties, analyze reports, and make recommendations of the board and the department under this article, Chapter 8 of Title 31, Article 9. On or before January first of each year, the Committee will report findings and recommendations to the General Assembly.

The Committee members will be allowed to use state funds available to the legislative branch for purposes of this Committee.

- **Authored By:** Sen. Judson Hill of the 32nd

- **Committee Action:** Do Pass by Committee Substitute

## **Intragovernmental Coordination - Local**

### **HB 655 - Brantley County Airport Authority; transfer all assets, property, and legal rights and obligations to Brantley County**

- BILL SUMMARY: A Bill to repeal the Act creating the Brantley County Airport Authority and to transfer all assets, property, and legal rights and obligations of the Authority to Brantley County.
- **Authored By:** Rep. Chad Nimmer of the 178th
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **SB 250 - Port Wentworth, City of; change the description of the council districts**

- BILL SUMMARY: A Bill to reapportion the Port Wentworth City Council.
- **Authored By:** Sen. Lester G. Jackson of the 2nd
- **Committee Action:** Do Pass

## **Intragovernmental Coordination - Local**

### **SB 253 - Calton, City of; provide for a new charter**

- BILL SUMMARY: A Bill to provide a new charter for the City of Carlton.
- **Authored By:** Sen. Frank Ginn of the 47th
- **Committee Action:** Do Pass by Committee Substitute

## **Judiciary**

### **SB 165 - Superior Courts; provide for additional judge of the Chattahoochee Judicial Circuit**

- BILL SUMMARY: State appropriations have been set aside for two new judgeships. SB 165 provides for the appointment of two new judgeships in the order of priority suggested by the Judicial Council. SB 165 creates one new judgeship in the Chattahoochee circuit and one in the Oconee circuit and provides for initial appointment of the new judgeships by the Governor.

In addition, SB 165 changes the county circuit dates for the Griffin Circuit. The Griffin Circuit includes Fayette, Pike, Spalding and Upson Counties.

- **Authored By:** Sen. Joshua McKoon of the 29th
- **Committee Action:** Do Pass

## **Judiciary Non-Civil**

### **SB 207 - Probation of First Offenders; person disqualified from employment when discharged as felony offender; add private home care providers to list**

- BILL SUMMARY: SB 207 adds 'private home care provider' to the definition of long-term care facilities thus allowing a provider to view a first offender's criminal record.
- **Authored By:** Sen. John Albers of the 56th
- **Committee Action:** Do Pass by Committee Substitute

*\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

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## **COMMITTEE MEETING SCHEDULE**

**Tuesday, March 26, 2013**

10:00AM	<a href="#">Floor Session (LD39)</a>	HOUSE CHAMBER
2:00 PM - 3:00 PM	<a href="#">ECONOMIC DEVELOPMENT &amp; TOURISM</a>	406 CLOB

*\* This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*